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EXAMINER

MAKI, STEVEN D

ART UNIT PAPER NUMBER

1733

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/937,591	Applicant(s) LOTVEIT, BARD	
	Examiner Steven D. Maki	Art Unit 1733	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3-8-05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-8 and 10-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-8 and 10-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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- 1) The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

- 2) Claims 1, 4-8 and 10-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

In claims 1 and 20, the subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention is the subject matter of "the outer side portion being shaped and configured so that the wheel cannot pass through said outer side portion during winter driving conditions". This subject matter does not constitute new matter since the original disclosure describes "... the outer side portion of the device being shaped so that it will not be able to jump over the wheel to the inner side thereof." (page 2 of specification, emphasis added) and page 1 describes "The present invention relates to a device to be fitted on a vehicle wheel of a predetermined size in order to increase friction between the wheel and the road surface during winter conditions" (page 1 of specification). However, the description of "cannot pass through" is **apparently unconditional**. This interpretation is consistent with the following statement by applicant: "The configuration of the outer side portion of the device in the present application is such that there is no possibility for the wheel to pass

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therethrough, whether or not an elastic member is used." (page 3 of response filed 9-17-04, emphasis added). The original disclosure fails to teach how to make a device having an outer side portion being shaped and configured so that the wheel cannot pass through the outer side portion under all winter conditions. One of ordinary skill in the art would readily understand that the wheel can pass through the outer side portion (which may have an opening as shown in figure 2A) under some conditions such as when (1) sufficiently large force is applied, (2) the tire is completely deflated, (3) the vehicle travels over sections of a snowy road having bare pavement, etc.

In order to overcome this non-enabling 112 first paragraph rejection, the following changes are suggested: (1) in claim 1 last two lines after "so that" change "the wheel cannot pass through said outer side portion" to --the device is kept stably in place on the wheel-- and (2) in claim 20 change ", and prevents entire device from passing over to the inner side surface of the wheel, the outer side portion being shaped and configured so that the wheel cannot pass through said outer side portion" to --so that the device is kept stably in place on the wheel--. Support for these changes is found on page 9 of the specification.

3) Claims 1, 4-8 and 10-25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In claims 1 and 20, the subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention (i.e. the new matter) is the outer side portion being non-elastically deformable. This limitation of "non-elastically deformable", which has no explicit basis in the original disclosure is not reasonably conveyed by the original disclosure. It is acknowledged that the original disclosure supports only the flexible inner side portion having an elastic member. See for example the description of "at least on the inner side of the wheel [in contrast to on both sides of the wheel], is tightened by means of an elastic member" (page 1 of specification), figures 1A and 1B, and figures 2A, 2B. However, the specification fails to describe the textile material of the outer side portion as being "non-elastically deformable". It is noted for example that woven fabrics are slightly elastically deformable along the bias direction. It is also noted that the netting of the outer side portion of the invention sample of the invention filed 3-8-05 is slightly elastically deformable along the bias (The netting can stretch when a tension force is applied at 45 degrees to the direction of the "warp" or "weft" and can recover after the tension force is released).

This 112 first paragraph rejection regarding "non-elastically deformable" may be overcome by making the following changes:

(1) in claim 1, (a) delete --, having an elastic member, which is tightened against the inner side surface of the wheel by the elastic member when the device is fitted on the wheel--, (b) delete --and non-elastically deformable-- and (c) after "during winter

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driving conditions" insert --wherein only the flexible inner side portion has an elastic member, the flexible inner side portion being tightened against the inner side surface of the wheel by the elastic member when the device is fitted on the wheel-- and

(2) in claim 20, (a) delete --, having an elastic member, which is tightened against the inner side surface of the wheel by the elastic member when the device is fitted on the wheel--, (b) delete --and non-elastically deformable-- and (c) after "during winter driving conditions" insert --wherein only the flexible inner side portion has an elastic member, the flexible inner side portion being tightened against the inner side surface of the wheel by the elastic member when the device is fitted on the wheel--

In claims 1 and 20, the subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention (i.e. the new matter) is the subject matter of "wherein an outer surface of said endless annular belt is made from an uncoated textile material" (emphasis added). This subject matter **apparently requires** any "filaments" used to make the textile material to be "uncoated". The original disclosure fails to support using "uncoated" filaments to make the textile material and cannot therefore reasonably convey an outer surface of said annular belt being made from an "uncoated textile material". Page 4 lines 21-22 of the specification is silent as to whether the textile material is coated or uncoated.

4) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Wollheim

6) **Claims 1, 4, 6-7, 11 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wollheim (US 1910416) in view of Haye (US 3770035).**

Wollheim, directed to a cover adapted to fit over the fronts of different sized tires, discloses a tire cover having an "endless annular belt", a "flexible side portion" having an elastic member (elastic band 15) and "flexible outer side portion". See figures 1-4. The front cover may be a solid sheet or may have a suitable opening. Since the front cover (outer side portion) is a solid sheet, the wheel cannot pass through the outer side portion. Wollheim does not specifically recite that the cover is made of fabric. However, it would have been obvious to make Wollheim's tire cover out of fabric (textile material) since (1) Wollheim teaches that the cover should be flexible so that it can be folded into small and compact package (page 1 lines 55-60) and (2) Haye teaches that a fabric cover for wheels can be easily folded into a small volume (col. 1 lines 48-50). The description of "for fitting a device on a vehicle wheel, resting against a road surface, to increase friction between the wheel and the road surface during winter conditions" relates to intended use and fails to require structure and/or material different from that

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suggested by the above applied prior art; it being noted that "to increase friction" is a relative expression.

As to the outer side portion being "non-elastically deformable", note that Wollheim uses an elastic band on only one side of the tire cover.

As to claim 23, it would have been obvious to use "uncoated textile material" for Wollheim's tire cover in view of Hayes teaching to use a fabric for a tire cover so that it can be folded.

With respect to claim 7, it would have been obvious to provide the claimed straps on Wollheim's device since it is taken as well known / conventional per se to provide straps on a tire cover to facilitate mounting / demounting of the tire cover.

With respect to claims 11 and 24, it would have been obvious to use woven polyamide as the fabric suggested by Haye since flexible woven polyamide (e.g. nylon fabric for a shower curtain) is taken as well known / conventional fabric per se.

7) Claims 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wollheim in view of Haye as applied above and further in view of Japan 730 (JP 6-306730).

As to claims 23-25, it would have been obvious to use uncoated polyester fabric ("uncoated textile material") for Wollheim's tire cover in view of (1) Hayes teaching to use a fabric for a tire cover so that it can be folded and (2) Japan '730's teaching of an uncoated polyester fabric with good folding property.

Krueger

8) **Claims 1, 4, 6-8 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krueger (US 2682907) in view of at least one of Zigler (US 1382045) and Wollheim (US 1910416).**

On page 2 of the response filed 1-21-04, applicant describes Krueger as follows: "Krueger discloses a device having an annular belt and first and second flexible side portions. Both side portions are tightened against the wheel by an elastic member. This allows the device to be affixed to the wheel by passing either of the first or second side portions over the wheel to the inside." The claimed device corresponds to the traction increasing means of Krueger. The claimed belt, inner side portion and outer side portion correspond to the endless annular elongated member 12 of flexible material such as canvas or the like. The description of "textile material" reads on canvas. The claimed elastic member reads on annular coil springs. Krueger teaches using an elastic member on both sides of the device instead of on only one side of the device.

As to claim 1, it would have been obvious to one of ordinary skill in the art to provide the elastic member (tightening / retaining means) on only one side of Krueger's device such that the resulting device has a "non-elastically deformable outer side portion" as claimed in view of (1) Krueger's teaching that the sides of the device for increasing traction have elastic members on both sides thereof for the purpose of contracting the member and sustaining the same in position on the tire and in view of at least one of (2) (a) Zigler's teaching to use a tire chain retainer (coiled springs and hooks) on only one side of a device for increasing traction for a tire to obviate the

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necessity of employment of a retainer or other fastening means on the other side which is provided with a continuous chain 1 and (2) (b) Wollheim teaches using an elastic band on only one side of a tire cover to force the cover smoothly against the tire.

With respect to the subject matter of "the outer side portion being shaped and configured so that the wheel cannot pass through said outer side portion during winter driving conditions", Krueger satisfies this subject matter. See (1) figures 1 and 2, (2) Krueger's teaching that the device "may be conveniently and effectively installed in position on the tire to substantially increase the traction thereof while traveling over mud, snow, ice or other slippery surfaces" (col. 1 lines 5-8, emphasis added) and (3) Krueger's teaching that "the side edges of the member 12 being provided with annular hems 18 having annular coil springs 20 disposed therein for the purpose of contracting the member 12 and sustaining the same in position on the tire" (col. 1 lines 47-52, emphasis added). In any event: It would have been obvious to provide the device of US Patent 2,682,907 such that it can function as a traction increasing means for tire as intended and thereby have an outer side portion shaped and configured so that the wheel "cannot pass through" the outer side portion during winter driving conditions in view of (1) Krueger's teaching that the device "may be conveniently and effectively installed in position on the tire to substantially increase the traction thereof while traveling over mud, snow, ice or other slippery surfaces" (col. 1 lines 5-8, emphasis added) and (2) Krueger's teaching that "the side edges of the member 12 being provided with annular hems 18 having annular coil springs 20 disposed therein for the purpose of contracting the member 12 and sustaining the same in position on the tire"

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(col. 1 lines 47-52, emphasis added). As to "elastic member", it would have been obvious to use an "elastic member" instead of a contractable annular coil spring 20 since Wollheim, directed to a tire cover which is structurally similar to the tire traction increasing means of Krueger, teaches that an elastic band is an alternative to a coiled metal spring for exerting tension for holding a cover on a tire.

As to claim 4, the limitation of the outer side portion covering substantially the outer side of the wheel would have been obvious in view of Wollheim's teaching that a tire cover, if desired may be a solid sheet (covering that entire side of the tire).

As to claim 6, the limitation of the outer side portion having at least one opening would have been obvious since the traction increasing means of Krueger has an opening on each side.

As to claim 7, it would have been obvious to provide the claimed straps on Krueger's device since it is taken as well known / conventional per se to provide straps on a tire cover to facilitate mounting / demounting of the tire cover.

As to claim 8, the limitation therein would have been obvious since (1) Wollheim, as noted above, suggests using an elastic band and (2) "a rubber elastic material which is covered by a spun, woven or knitted substantially inelastic thread material, the thread material limiting the extensibility of the elastic member" is taken as a well known / conventional rubber band per se. The suggestion to use a rubber band in Krueger comes from Wollheim instead of the official notice.

As to claim 22, it would have been obvious to provide Krueger's outer side portion with the claimed length in view of Wollheim's teaching to extend the side portions along the sidewalls of the tire.

9) Claims 5 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krueger in view of at least one of Zigler and Wollheim as applied above and further in view of German '291 (DE 2355291).

As to claim 5, it would have been obvious to use the claimed netting as the textile for the traction increasing means (an anti-slip device) since German '291 suggests using a netting for an anti-slip device.

As to claim 21, it would have been obvious to use the claimed netting as the textile for the traction increasing means (an anti-slip device) since (a) German '291 suggests using a netting for an anti-slip device wherein the netting comprises polyester threads and (b) a netting comprising PVC coated 1100dtex polyester multifilament material" is taken as a well known / conventional netting per se. The net opening of 2-7 mm would have been obvious and could have been determined without undue experimentation in view of German '291's teaching to obtain the result of anti slip using a netting.

10) Claims 10-19 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krueger in view of at least one of Zigler and Wollheim as applied above and further in view of at least one of Riggs et al (US 5439727), Peterson (US 3335776) and German '291 (DE 2355291).

As to claims 10-19 and 23-25, it would have been obvious to use a woven textile for Krueger's traction increasing means as claimed since (a) Krueger broadly suggests using a textile for the traction increasing means (canvas is merely exemplary) and (b) it is known in the tire art to use a woven textile for covering the tread of a tire as evidenced by at least one of Riggs et al, Peterson and German '291. Riggs et al discloses a woven polyamide having a water resistant coating for a tire cover so that it readily conforms to the surface of the tire. Peterson discloses using a woven fabric including cross wide fibers for a traction improving means. German '291 discloses weaving threads to form a netting for an anti-slip device. As to claims 10, 11 and 15, Riggs et al suggests a textile comprising woven polyamide and being coated with a water resistant coating - it being well known to form water resistant material from plastic / polymer. The use of two layers as an alternative to one layer is suggested by Krueger. As to claims 12 and 13, German '291 suggests using polyester threads. As to claim 14, the limitation therein would have been obvious since it is taken as well known / conventional per se to use a colored layer beneath a ground contacting layer to indicate wear; it being noted again that the use of two layers as an alternative to one layer is suggested by Krueger. As to claims 16 and 17, it would have been obvious to interconnect the textile layers using a yarn since it is taken as well known / conventional per se in the textile art to hold textile layers together using a yarn - the use of two textile layers for a traction increasing means is suggested by Krueger. As to claims 18 and 19, note Riggs et al suggestion to coat the woven polyamide with water resistant

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material - low friction being a relative term and it being taken as well known per se that water resistant materials include silicone rubber, PVC.

As to claims 23-25, it would have been obvious to use uncoated textile material for Krueger's belt since Peterson and / or German 291 teach that traction may be improved using "textile material" which *directly contacts* the ground. German 291 teaches a netting (textile material) comprising polyester threads. Although the polyester threads are coated with polyurethane, the netting is not coated. In other words, "uncoated textile material" reads on a textile material made by weaving coated threads to make a woven fabric, but not subsequently coating the woven fabric.

11) Claims 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krueger in view of at least one of Zigler and Wollheim as applied above and further in view of German 181 (DE 3236181).

As to claims 23-25, it would have been obvious to use "uncoated textile material" as claimed in Krueger's device in view of (1) Krueger's suggestion to use textile material (canvas) for the traction device and (2) German 181's suggestion to use polyester fabric for an anti-skid tire wrap around device.

Allowable Subject Matter

12) Claim 20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112 set forth in this Office action.

Claims 4-8, 10-19, 21 and 22 would be allowable as dependent claims if appropriately amended to depend on the above noted claim 20. For example, an

appropriate amendment for claim 4 would be changing "A device according to claim 1" to --A method according to claim 20--.

Stanley (US 5624509, already of record) describes fitting an endless device for increasing traction on a tire by placing the device over the upper part of the tire not touching the ground surface, so that it hangs down towards the ground stretched over the upper portion of the tire and then driving the car forward slightly so that the rest of the device can be installed onto the tire. See col. 3 line 66 to col. 4 line 4. However, Stanley's entire endless device is elastic and fails to have an elastic member on only one side portion thereof. The prior art fails to motivate / suggest modifying Krueger's endless device by *both* (1) replacing the annular coil springs such that the outer side portion is "non-elastically deformable" (only the inner side portion is provided with an elastic member" *and* (2) performing fitting and rotating steps as set forth in the last seven lines of claim 20.

Remarks

13) The invention sample filed 3-8-05, which has been reviewed, is similar to the traction device of figure 1. Although the gray netting is not as stretchable as the black elastic member on the inner side portion, it is noted that the gray netting of the outer side portion is "slightly elastically deformable on the bias".

The video on the DVD filed 3-8-05 has been reviewed. The following is a summary of the video: Forward movement of a car on an inclined snowy road stops due to slipping of rotating tire. Rotation of the tire is stopped. A traction device similar to that of figure 1 is installed over most of the tire. Rotation of the tire is resumed, which

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causes completion of installation of the device on the tire and the car has sufficient traction to continue forward movement up the inclined snowy road.

Canada 1022444 is cited of interest as being an English language equivalent to German 2355291 applied above.

Applicant's arguments with respect to claims 1, 4-8 and 10-25 have been considered but are moot in view of the new ground(s) of rejection.

With respect to the device claims, applicant's arguments filed 3-8-05 have been fully considered but they are not persuasive.

Applicant argues that Wollheim does not disclose the claimed feature of an endless annular belt. The examiner disagrees since the portion 10 covering the tread surface of the tire is endless as most clearly indicated by figure 1. It is acknowledged that the "endless annular belt" and the "outer side portion" in Wollheim are integral. However, claim 1 reads on an "endless annular belt" which is integral with a "side portion" and for example reads on applicant's figure 2 B embodiment in which the endless annular belt and the inner side portion are integral.

Applicant emphasizes the provision of a "connecting edge" between the belt and the outer and inner side portions which contribute to the fit of the device on the wheel. In response, the examiner notes that claim 1 fails to require a "connecting edge".

After noting that Wollheim is directed to a wheel cover that is not in driving use, applicant argues that a spare tire is not mounted to an axle and used on a vehicle. This argument is not persuasive for the simple reason that claim 1 fails to require use of the device on a tire mounted to an axle and used on a vehicle.

Applicant argues that a person skilled in the art would not look to the Wollheim and Hayes references when designing a device mounted on a wheel in driving use is not commensurate in scope with claim 1 and is therefore not persuasive since claim 1 fails to require a device mounted on a wheel in driving use. Furthermore, Wollheim and Hayes are combinable since, as acknowledged by applicant, both Wollheim and Hayes relate to wheel covers. Hayes teachings as to suitable material such as fabric are therefore applicable to Wollheim.

Applicant emphasizes that Hayes has a partial belt. More properly, Wollheim has an endless belt for the reasons discussed above.

With respect to applicant's arguments regarding "non-elastically deformable" and "uncoated textile material", note the new ground of rejection.

Applicant argues that the combination of Krueger and Wollheim is improper since Wollheim teaches a wheel cover for a wheel not in driving use. This argument is not persuasive since Krueger and Wollheim are both directed to the problem of retaining endless annular material on a tire using elastic means.

With respect to German 291, applicant argues that (1) netting material is not equivalent to the claimed textile material since (a) the definition of a textile material is a fabric made by weaving, knitting, etc; cloth and (b) netting has large openings therethrough while fabric or cloth does not and (2) the surprising result of using textile material for the belt is that increased traction is achieved without the openings created by netting or wheel chains. These arguments are not persuasive since "textile material" reads on a net like device made from polyurethane threads with internal polyamide or

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polyester threads; applicant having presented no convincing argument and/or evidence to the contrary.

14) Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


15) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven D. Maki whose telephone number is (571) 272-1221. The examiner can normally be reached on Mon. - Fri. 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven D. Maki
June 12, 2005


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6-12-05